

REMARKS

Initially, applicants thank the Examiner for conducting a brief telephonic interview on January 14, 2010, to discuss the claim amendments made herein.

Claim 27 stands rejected under 35 USC § 102(b) on Parkman (U.S. Patent Publication No. 2002/0152468). Applicants respectfully traverse this rejection.

Claim 27 recites “(a) logging-in the cellular phone at a local mobile radio cell which is formed by a mobile radio base station arranged on board the vehicle.” The Examiner has asserted that “Fig. 1, Mobile station 20 accessing Access Points” discloses this feature. Applicants respectfully submit that Parkman does not disclose or suggest such a feature. The mobile system 20 of Parkman—more fully detailed in Fig. 2—does not form a “local mobile radio cell,” as recited in claim 27. To the contrary, as detailed at paragraphs [0023] and [0026] of Parkman, to the extent that the mobile system 20 is able to transfer data locally, this transfer of data occurs via a LAN 56, a NATS interface 58, a CIS interface 60, or an IFE interface 62.

While the mobile system 20 does have a transmitter 64 and a receiver 66, connected to antennas 74 and 82, respectively, these antennas are only used for communication with earth orbiting satellites as discussed in paragraphs [0030]–[0033] of Parkman. Parkman does not disclose or suggest that the transmitter or receiver may be used for local transmissions or the formation of a radio cell as recited in claim 27.

The mobile system 20 of Parkman is a device which is used to transfer data between an airplane and a ground station via a satellite. To the extent that the mobile system 20 is capable of transferring data locally, that transfer is done via a LAN—not a radio cell. Consequently, the mobile station 20 is not a mobile radio base station that is used to form a local mobile radio cell as recited in claim 27, and Parkman does not make any disclosure or suggestion to the contrary. Claim 27 is therefore allowable over Parkman.

Claims 14-26 and 28-31 stand rejected under 35 U.S.C. § 103(a) over Parkman in view of Sinvaara (EP 10906699). Applicants respectfully traverse this rejection.

Applicants have amended claim 14 to recite “(e) at least one mobile radio base station, configured to generate at least one local mobile radio cell,” as disclosed at least at paragraph [0029] of applicants’ published specification (U.S. Patent Publication No. 2007/0206522). As detailed above, Parkman does not disclose or suggest forming a local mobile radio cell. Sinvaara fails to overcome the deficiencies of Parkman detailed above for at least the following reasons.


To the extent that Figure 2 of Sinvaara discloses using a mobile device to communicate with an on-board system, that communication is limited to communication via a WLAN and not via a local mobile radio cell. *See* paragraphs [0028] and [0032]–[0034]. Moreover, Sinvaara excludes the use of communication via a local mobile radio cell, explaining that using a standard mobile telephone device to communicate over a radio cell “is not possible because the high-power (and bursty) transmissions of a mobile communication system cause interference in the control equipment of airplanes.” (*See* col.10; lines 33–39.) Consequently, claim 14 is allowable over the cited art. Claims 15–31 and 28–31 depend from allowable base claims and are therefore allowable due at least to their respective dependencies.

In view of the above, each of the claims in this application is in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief, including extensions of time, and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **246472009900**.

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Respectfully submitted,

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